

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:5340
ANSWERED ON:28.08.2001
DISPLAY OF NATIONAL FLAG
SURESH RAMRAO JADHAV (PATIL)

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the government propose to provide the citizens, the right to honour the tricolour;
- (b) if so, the time by which an Amendment Bill for the Prevention of Insult to National Honour Act, 1971 and the Emblems and Names (Prevention of Improper Use) Act, 1950 is likely to be brought before Parliament;
- (c) if not, the reasons therefor; and
- (d) the steps taken/proposed to be taken by the Government to revoke the prevailing executive restrictions which bar people from unfurling the tricolour at their homes and work places except for National Festivals ?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (I.D. SWAMI)

(a) to (d): The citizens of the country enjoy the right to honour the National Flag. The Prevention of Insults to National Honour Act, 1971 and the Emblems and Names (Prevention of Improper Use) Act, 1950 do not curtail that right. The Prevention of Insults to National Honour Act, 1971 merely prohibits deliberate public insult to the National Flag. Similarly, the Emblems and Names (Prevention of Improper Use) Act, 1950 merely prohibits use of the National Flag for the purpose of trade, business, calling or profession, etc. However, the Flag Code - India, which is a compilation of non-statutory executive instructions issued from time to time governing the use/display of the National Flag, places certain restrictions on its use/display by the members of the public. A proposal for suitable amendment in Flag Code - India with a view to facilitating liberal use/display of the National Flag by members of the public is under active consideration of the Government.